



Entered on Docket
August 19, 2009

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

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E-FILED: August 4, 2009

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:) Case No. BKS-09-19151-MKN
) Chapter 13
)
)
John Ellsworth Lutz,) Hearing Date: July 30, 2009
) Hearing Time: 3:30 P.M.
)
Debtor(s).)
)
)

**ORDER ON MOTION TO VALUE COLLATERAL, "STRIP OFF" AND
MODIFY RIGHTS OF COUNTRYWIDE HOME LOANS (ACCT ENDING IN
7752) PURSUANT TO 11 U.S.C. §506(a) AND §1322 BY DEBTOR**

THE ABOVE MATTER having been heard at the time and date above the Court Finds as follows:

1. The Debtor's property located at 9132 RIPPLE RIDGE AVENUE #103, LAS VEGAS, NEVADA, 89149 (the "Subject Property") is valued at \$118,008.00.

2. That on the filing date of the instant Chapter 13 petition,
COUNTRYWIDE HOME LOANS (ACCT ENDING IN 7752)'s claim
was wholly unsecured.

IT IS THEREFORE ORDERED THAT COUNTRYWIDE HOME LOANS
(ACCT ENDING IN 7752)'s secured claim is "Stripped off" and shall be avoided
pursuant to 11 U.S.C. Section 506(a);

IT IS FURTHER ORDERED THAT COUNTRYWIDE HOME LOANS
(ACCT ENDING IN 7752)'s secured rights and/or lien-holder rights in the Subject
Property are hereby terminated and COUNTRYWIDE HOME LOANS (ACCT ENDING
IN 7752)'s claim shall be treated as an "unsecured" claim in the Debtor's Chapter 13;

IT IS FURTHER ORDERED THAT in the event the instant Chapter 13 matter
is dismissed or converted to a Chapter 7 proceeding the instant Order shall be vacated.

DATED August 4, 2009

HAINES & KRIEGER, L.L.C.

By: /s/David Krieger, Esq.
David Krieger, Esq.
Attorney for Debtor(s)

/././

ALTERNATIVE METHOD re: RULE 9021:

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

APPROVED:

DISAPPROVED:

FAILED TO RESPOND: Rick A. Yarnall, Esq.

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